

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Ronald James Reed,

Plaintiff,

v.

Case No. 2:08cv1088

Judge John J. Mascio, *et al.*,

Judge Michael H. Watson

Defendant.

OPINION AND ORDER

Before the Court are the following:

1. The January 12, 2009 Report and Recommendation (hereinafter "Report") of Magistrate Judge Kemp (Doc. 9).
2. The January 14, 2009 Motion and Request of Plaintiff Ronald J. Reed (hereinafter "Plaintiff") to Voluntarily Dismiss and Requesting this Court to Proceed on to Trial (Doc. 11).

The parties were given proper notice, pursuant to 28 U.S.C. § 636(b)(1)(C), including notice the parties would waive further appeal if they failed to file objections to the Report in a timely manner. See *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). To date, no objections to the Report were filed.¹

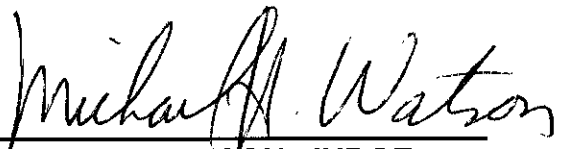
The Report concludes Plaintiff's claims are either barred by the statute of limitations which applies to 42 U.S.C. § 1983 claims, or have been asserted against

¹The Court notes it is not construing Plaintiff's January 14, 2009 filing as objections to the Report as it makes no mention of the Report.

defendants who are immune from suit. As such, the Report recommends dismissal of this action under 28 U.S.C. §§ 1915(e)(2) and 1915A.

Upon *de novo* review of this matter, pursuant to 28 U.S.C. §636, the Court finds no error in the Report. Accordingly, the Report (Doc. 9) is hereby **ADOPTED** and this action is hereby **DISMISSED** and the January 14, 2009 Motion and Request of Plaintiff to Voluntarily Dismiss and Requesting this Court to Proceed on to Trial (Doc. 11) is hereby **DENIED**.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT